Section 10: Special Events

(orig. 3-28-00; am. 2-13-01; am. 4-20-10; am 2-8-11)

A. Intent and Purpose

This section is intended to provide for the orderly control of special events by establishing appropriate permit requirements and regulations in an effort to provide for the temporary use of land in all zone districts for special events and to ensure that no special event occurs which would have a significant negative effect on adjacent and nearby property owners, residents and businesses or which would be unsafe given prevailing site conditions, traffic and circulation patterns, land use characteristics and the nature of the proposed use. (orig. 2-13-01; am. 12-17-02)

B. General Provisions

1. Special events shall occur or operate in compliance with the provisions of this section and all applicable provisions and regulations of Jefferson County, and applicable State and Federal statutes and regulations. (orig. 2-13-01)

2. Issuance of a Special Event Permit shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by Planning and Zoning, the Division of Building and Safety, Jefferson County Public Health, the Fire District or any other agency of Jefferson County or other public agency. (orig. 2-13-01; am. 12-17-02; am. 4-20-10; am. 2-08-11)

3. All special events requiring permits as set forth in this section shall be approved by the Zoning Administrator or his/her appointed designee. (orig. 2-13-01; am. 12-17-02)

4. The maximum duration of a special event shall be 30 calendar days, either at one time or cumulatively, per year. (orig. 2-13-01)

C. Special Events Not Permitted

1. The following special events are prohibited throughout the County: (orig. 2-13-01)

    a. Solicitation on or near public rights-of-way such that vehicles traveling upon the street/road or highway are disrupted. (orig. 2-13-01; am. 12-17-02)

    b. Any event involving a Private Marijuana Club. Additionally, no event may be held on a residential property involving the distribution of marijuana or marijuana products where a fee is charged for the marijuana or marijuana products or for admission to the property. (orig. 4-15-14)

D. Exempted Special Events

The following special events are exempt from the requirements of this section: (orig. 2-13-01)

1. Funeral processions. (orig. 2-13-01)

2. Residential gatherings customarily incidental to a residentially zoned property. (orig. 2-13-01; am. 2-08-11)

3. Events which have received a permit or approval by some other government entity (e.g., Jefferson County Open Space, Denver Parks, special districts) and which are contained entirely on the property owned or leased by the approving entity. (orig. 2-13-01)

4. Events contained entirely within a building and are associated with or interconnected with the property's permitted use(s). (i.e. Religious gatherings and functions, sale promotions, holiday parties at places of employment.) (orig. 10-25-05; am. 3-26-13)

5. Emergency events including but not limited to responses to natural disasters, or other responses to health and safety emergencies that cannot meet the application deadlines specified in this section or which occur without advance knowledge. (orig. 2-13-01)

E. Special Events Not Requiring A Permit

Temporary or seasonal special events similar to or operated in conjunction with the permitted use are permitted without a Special Event Permit in all zone districts and Planned Developments provided all of the following are satisfied: (orig. 2-13-01)

1. The event does not operate between the hours of 10:00 p.m. of one day and 8:00 a.m. of the next day. (orig. 2-13-01)

2. The event is located entirely on private property with the permission of the landowner. (orig. 2-13-01)

3. All parking for the event is contained on-site or on nearby private property with the permission of the landowner. (orig. 2-13-01)

4. No on- or off-site grading or topographic alteration is required. (orig. 2-13-01)

5. No undue traffic congestion or traffic accident potential is generated. (orig. 2-13-01)

6. No food service offered for public consumption or for sale. (orig. 2-13-01)

7. Adequate water, sanitation, and refuse collection is provided. (orig. 2-13-01)

8. No noise, dust, smoke, glare, light trespass or other form of environmental or visual pollution is generated which would have a significant negative effect on adjacent and nearby property owners, residents and businesses. (orig. 2-13-01)

F. Special Events Requiring A Permit

1. Special Event Permit Required: The following special events shall require a Special Event Permit. (orig. 2-13-01)

   a. Temporary events not wholly contained within a building or structure including, but not limited to, “Parade of Homes” type events, carnivals, circuses, festivals, concerts, revivals, parades, road races, and other similar activities. (orig. 2-13-01)

   b. Any special event affecting or within a public right-of-way. (orig. 2-13-01)

   c. Any special event that does not satisfy any or all of the criteria listed in paragraph “E” of this section. (orig. 2-13-01; am. 12-17-02)

2. Application: At least 45 calendar days prior to the requested start date of the proposed special event requiring a permit, a Special Event Permit Application shall be submitted to Planning and Zoning and shall include the following information unless, based upon the specific special event, it is determined by the Zoning Administrator or his/her appointed designee that specific information or timeframes are not needed to adequately review the application: (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

   a. A written description indicating: the type of event, the event sponsor(s), the location of the event or event route, a list of all roads affected, the duration of the event, the hours of operation, the expected water requirements (including the source and supply of water), the number of employees/volunteers, the number and location of toilets, the anticipated attendance, food or alcoholic beverages to be served, temporary structures or fences proposed, the anticipated parking needs complete with data indicating how the demand was calculated and how the need is to be addressed, the surface material of the parking area, a method/plan for handling traffic in conformance with the Manual on Uniform Traffic Control Devices and the Colorado Supplement, a statement of expected impacts to the subject land

and surrounding properties, how adverse impacts on surrounding properties will be minimized including a response to each of the performance standards established in this section. (orig. 2-13-01)

b. A site plan (drawn to scale, showing all of the following in relation to existing and proposed buildings, parking areas, streets/roads and property lines on the proposed site and on abutting properties): the location of the event or the event route, the location of proposed structures (including restrooms, storage bins, trash receptacles, temporary buildings, etc.), the location of traffic controls proposed (including road barriers, detour signs, traffic control lights, traffic personnel, etc. all of which shall be paid for and provided by the applicant), access to/from the site, parking areas (showing access, number of parking spaces, parking barriers, surfacing, etc.), activity areas (e.g. parking area, alcoholic beverage area, children's play area, games area, seating, etc.). (orig. 2-13-01)

c. Written confirmation from the property owner(s) agreeing to the use of their property or right-of-way for the special event or a copy of the lease agreement. (orig. 2-13-01; am. 12-17-02)

d. A nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 2-13-01;am. 2-08-11)

e. Evidence of availability of and access to water and sanitation services, if the event is to be served by public water and sewer. If portable toilets are proposed, evidence of a maintenance contract specifying the servicing and removal of all toilets. (orig. 2-13-01)

f. Evidence of a refuse contract for the collection and disposal of rubbish, specifying frequency of collection and final collection terms or such other description of refuse disposal approved by the Zoning Administrator or his/her appointed designee. (orig. 2-13-01; am. 12-17-02)

g. Evidence of insurance for events proposed on County property or public rights-of-way. This insurance shall include general liability covering claims that might arise from the event including participant and spectator liability in a minimum amount of $1,000,000 per occurrence, with the County named as an additional insured. Block parties are exempt from the insurance requirements. Evidence of insurance may be submitted prior to issuance of the Special Event Permit rather than with the submission of the application. (orig. 2-13-01)

h. Any additional information deemed necessary by the Zoning Administrator or his/her appointed designee. (orig. 2-13-01; am. 12-17-02)

3. Application Review: The Special Event Permit Application shall be referred to any other County or non-County agency, registered association or official whose consideration is deemed essential to a full and complete assessment. The applicant is responsible for providing the necessary number of copies of the application for this referral. In reviewing the application, the following shall be considered by the Zoning Administrator. (orig. 2-13-01; am. 2-08-11)

a. The adequacy of the site plan. (orig. 2-13-01)

b. The adequacy of the size and shape of the site to accommodate the special event proposed. (orig. 2-13-01)

c. The adequacy of the surrounding street/road network to serve the kind and quantity of traffic anticipated by the proposed special event including the adequacy of the proposed traffic controls. (orig. 2-13-01)

d. The ability of local fire protection to service the event. (orig. 2-13-01; am. 2-08-11)

e. The ability of law enforcement to service the event. (am. 2-08-11)

f. Noise, light, dust, odor, or any other impact from the special event to surrounding properties and uses. (orig. 2-13-01)

g. The preservation of the public health, safety or welfare of surrounding properties and uses. (orig. 2-13-01; am. 12-17-02)

h. Compliance with other requirements of this section. (orig. 2-13-01; am. 2-08-11)

4. Action on Application: Within 15 calendar days of receipt of the Special Event Permit Application, the Zoning Administrator may take the following action: (orig. 2-13-01; am. 12-17-02: am. 2-08-11)

   a. Issue the permit: if the proposed special event conforms in all respects with the applicable provisions, requirements and standards of this section or if it can be made to conform with the imposition of conditions. (orig. 2-13-01; am. 12-17-02)

   b. Deny the permit: if the proposed special event fails to conform with any of the provisions, requirements or standards of this section. If denied, the Zoning Administrator shall specify the reasons therefore, in writing, citing specific requirements, provisions and standards contained in this section or in other applicable provisions of this Zoning Resolution or other applicable regulatory documents that were not met. (orig. 2-13-01)

5. Appeals: Any decision of the Zoning Administrator with respect to a Special Event Permit Application may be appealed, within 30 calendar days of such decision to the Board of Adjustment. (orig. 2-13-01; am. 12-17-02; am. 12-14-04, am. 2-08-11)

6. Enforcement (orig. 2-13-01)

   a. Inspections: The County may enter and inspect the special event site from time to time to ensure compliance with the Special Event Permit conditions and to enforce the provisions of this section. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry. (orig. 2-13-01)

   b. Suspension and Revocation of Permit: The Zoning Administrator may suspend or revoke a Special Event Permit for violation of any provision of this section or any other applicable law, rule or regulation, for violation of the Permit conditions, or for any misrepresentation by the applicant, his agents or his employees or independent contractors under contract with the applicant. The decision of the Zoning Administrator to suspend or revoke a Special Event Permit may be appealed to the Board of Adjustment. No event shall occur while a suspension or revocation appeal is pending except as authorized by the Zoning Administrator. Failure to comply with this section or with the Special Event Permit conditions is a violation of this Zoning Resolution. (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

G. Special Event Performance Standards

All special events shall comply with the following standards: (orig. 2-13-01)

1. Cessation of the Event: Within 24 hours of cessation of the event, the site shall be returned to its previous condition (including the removal of all buildings and structures, trash, debris, signage, attention-attracting devices or other evidence of the special event). (orig. 2-13-01)

2. Grading: Any necessary grading or topographic alterations shall conform to the requirements of the Land Disturbance Section of this Zoning Resolution including the issuance of a Land Disturbance Permit, if required. (orig. 2-13-01; am. 12-17-02; am. 10-12-04; am. 2-08-11)

3. Traffic Circulation: The special event shall not cause undue traffic congestion or accident potential as determined by Transportation and Engineering. (orig. 2-13-01; am. 12-17-02; am. 4-20-10)

4. Sewer, Potable Water, Refuse and other Nuisances: Management of sewage, potable water, refuse and other nuisances shall conform to the requirements of Jefferson County Public Health. (orig. 2-13-01; am. 12-17-02; am. 4-20-10)

5. Food Service: Management of food service shall conform to the requirements of Jefferson County Public Health. (orig. 2-13-01; am. 12-17-02; am. 4-20-10)

6. Signage: All proposed signage shall comply with the requirements of the Signs and Outdoor Advertising Devices Section of this Zoning Resolution except that a Sign Permit shall not be required for any temporary sign(s) proposed in conjunction with a special event. Conformance to the regulations related to signage shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

7. Structures and Fences: Temporary structures and fences shall be permitted for special events. All proposed structures and fences shall comply with the requirements of the General Provisions & Regulations Section of this Zoning Resolution and with the height, setback, and fencing requirements of the underlying zone district except that no structure shall be erected, placed or maintained within 10 feet of any right-of-way (unless the right-of-way has been closed as part of the Special Event) and a Miscellaneous Permit is not required for any structure or fence proposed in conjunction with a special event. Conformance to the regulations related to structures or fences shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

8. Lighting: All proposed lighting shall comply with the requirements of the Lighting Section of this Zoning Resolution. Conformance to the regulations related to lighting shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

9. Vision Clearance Triangle: The special event shall comply with the vision clearance triangle requirements of the underlying zone district of the site. (orig. 2-13-01; am. 7-1-03)

10. Other Conditions: The Zoning Administrator or his/her appointed designee may establish any permit conditions deemed necessary to minimize potential adverse impacts on nearby properties or uses, including but not limited to the following: (orig. 2-13-01; am. 12-17-02; am. 2-08-11)

    a. Modifications or restrictions on the hours and frequency of operation, duration of the event(s), size of the activity or other operational characteristics. (orig. 2-13-01)

    b. Limitations on the location, number, and type of signs and other attention-attracting devices. (orig. 2-13-01)

    c. Requirement of temporary arrangements for parking and traffic circulation. (orig. 2-13-01)

    d. Requirements for screening or buffering. (orig. 2-13-01)

    e. Requirements for County inspections. (orig. 2-13-01)

    f. Guarantees in the form of a Letter of Credit or cash for the total estimated cost (as provided by the applicant) plus 10% of any site restoration related to any on-site land disturbance, for the dismantling and removal of all structures, and for all clean-up following the special event. (orig. 2-13-01; am. am. 2-08-11)

    g. Provision of any extraordinary services including but not limited to traffic control devices, security personnel, food service requirements, potable water requirements, refuse disposal, or any equipment required to protect the public health, safety, and welfare. (orig. 2-13-01)